

REMARKS

Claims 1-11 and 16-30 remain in the application including independent claims 1, 7, and 18. Claims 12-15 have been cancelled.

The specification has been amended to provide consistent numbering and terminology throughout the description. No new matter has been added. The drawings have been revised to correct duplicate numbering of components. A replacement set of drawings is included with this response.

Claims 1-5 and 26 stand rejected under 35 U.S.C. 102(b) as being anticipated by Johnston (US6232681). Claim 1 requires at least one of the stator and rotor bodies to be formed of a generally solid core of a first material and having a plurality of circumferentially spaced portions of a second material at an outer peripheral surface of the core with the second material comprising a conductive material deposited into the portions wherein the second material is more conductive than the first material.

The examiner argues that Johnston discloses a stator body with a solid core 22 formed of a first material with a plurality of circumferentially spaced portions 25 formed of a second material consisting of plastic at an outer peripheral surface and a conductive material 21 deposited between teeth 23. Applicant disagrees.

Johnston teaches a stator core 22 made from a powder magnetic material, and which includes a plurality of slots 25 that receive windings 21. The examiner argues that "Johnston clearly disclose a plurality of circumferentially spaced (25) portions having a second material consisting of plastic at an outer peripheral surface and a conductive material deposited between the teeth of the stator (25)." The examiner further states that Johnston discloses that the circumferentially spaced (25) portions are formed of a powder magnetic material that includes thermo-plastic resin.

First, feature “25” of Johnston is a slot. The slot 25 is not formed out of any type of material, it consists of empty space. See column 6, lines 45-49. Second, the powder magnetic material that the examiner refers to is what is used to form the stator core 22. This is the “first material” that forms the solid core of a stator. There is no “second material” in Johnston that forms a plurality of circumferentially spaced portions where the second material comprises a conductive material deposited into the plurality of circumferentially spaced portions with the second material being more conductive than the first material.

Further, the examiner has previously argued that “a conductive material (copper winding) [is] deposited between the teeth.” See Page 2 of the present Office Action. Thus, the examiner first argues that the “second material” is the copper winding, and subsequently argues that the “second material” is the powder magnetic material with thermoplastic resin that forms the stator core. Applicant asserts that the examiner’s arguments are contradictory and respectfully requests that the examiner provide more detailed arguments explaining the examiner’s interpretation of Johnston with regard to the “second material.”

Finally, as clearly shown in Figure 2, the slots 25 are not formed at an outer peripheral surface of the core and are instead formed internal to, or inside of, the core. If the examiner continues to uphold this rejection, applicant respectfully requests a more detailed explanation of where Johnston discloses positioning the circumferentially spaced portions at an outer peripheral surface of the core. For the many reasons set forth above, Johnston clearly does not anticipate claim 1.

Johnston also does not disclose the features of claims 2-5 or 26. For example, claim 2 requires two different plastics. Johnston does not disclose the use of two different plastics as set forth in the configuration claimed by applicant. Johnston discloses a first plastic material that forms a core 22 and then uses a copper wire as the second material for the windings.

Again, copper is not a plastic. The examiner has not provided any arguments detailing where Johnston discloses the use of two different types of plastic material.

Also, for example, claim 3 requires that the first and second plastics be co-extruded. Johnston clearly does not teach this as Johnston is solely directed to radially compacting the core 22 within a die cavity.

Also, for example, claim 26 includes the feature that the second material forms at least a portion of the outer peripheral surface of the solid core. Again, the slots are internally positioned within the core, and thus are not positioned at the outer peripheral surface of the core. Further, the examiner's "second material," i.e. copper wire, is clearly not located at the outer peripheral surface of the solid core. See Figure 2 of Johnston.

Claims 6-25 and 27-30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Johnston in view of Schmidt (US5517070). Claims 6, 7, and 18 each require an AC motor. The examiner argues that Schmidt teaches the use of an AC motor. Applicant disagrees.

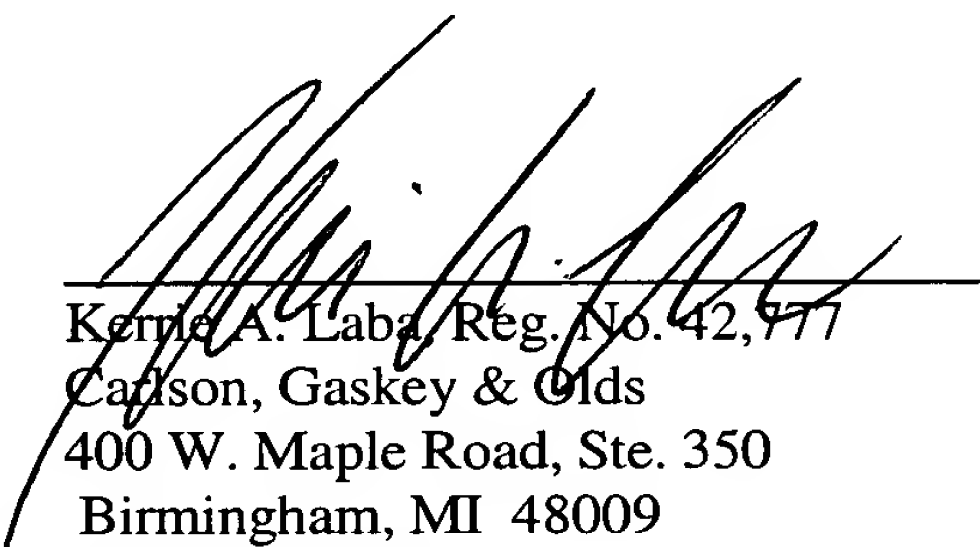
The examiner argues that "applicant has failed to disclose the details of the AC motor (induction squirrel cage motor etc) therefore, it's inherent that Schmidt motor is operable as an AC or DC motor since, the motor comprises a commutator which cuts the motor on and off by current." Applicant disagrees with this characterization of Schmidt. Further, the examiner's argument is improper and cannot be used to sustain a rejection under 35 U.S.C. 103(a).

Schmidt clearly teaches the use of a DC motor having a commutator 34 and brushes 9, 10. There is no AC motor in Schmidt. Applicant's alleged failure to disclose details of an AC motor has absolutely no bearing on what the actual teachings of Schmidt are. Applicant has affirmatively claimed an AC motor. The examiner has admitted that Johnston does not

disclose, suggest, or teach the claimed AC motor. The examiner has relied on Schmidt as disclosing an AC motor that is used to modify the motor shown in the Johnston reference. Schmidt clearly discloses a DC motor, not an AC motor. Thus, the references do not disclose, suggest, or teach the features set forth in the claims. The rejection of claims 6-14, 17-25, and 27-30 is clearly improper and must be withdrawn.

For the reasons set forth above, applicant believes that all claims are now in condition for allowance. An indication of such is requested. Applicant believes no additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,




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CERTIFICATE OF MAIL

I hereby certify that the enclosed Response and corrected drawings are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 13 day of April, 2005.



Laura Combs